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Report of the Implementation Review Group on its ninth session, held in Vienna from 4 to 6 June 2018

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I. Introduction

1. The Implementation Review Group was established by the Conference of the States Parties to the United Nations Convention against Corruption in its resolution 3/1, entitled "Review mechanism", as an open-ended intergovernmental group of States parties to operate under its authority and report to it. The Group is to have an overview of the review process in order to identify challenges and good practices and to consider technical assistance requirements in order to ensure effective implementation of the Convention.

II. Organization of the session

A. Opening of the session

2. The Implementation Review Group of the United Nations Convention against Corruption held its ninth session in Vienna from 4 to 6 June 2018. The session included two meetings held jointly with the Open-ended Intergovernmental Working Group on Asset Recovery on 6 June.

3. The 1st to 5th meetings of the Implementation Review Group were chaired by Vivian N. R. Okeke (Nigeria). The 6th meeting was chaired by Ignacio Baylina Ruiz (Spain).

4. In the opening statement, the Secretary of the Conference welcomed Samoa and Equatorial Guinea, which had acceded to the Convention since the resumed eighth session of the Group. He noted that, with 163 executive summaries now finalized, the Group was able to continue its deliberations on the outcomes of reviews conducted during the first cycle, drawing on the vast majority of the country reviews, and to discuss the reviews conducted during the second cycle. In line with the multi-year work plan for the period 2017–2019 adopted by the Group, the focus of the Group's work during its ninth session was to be on analysing the successes, good practices, challenges, observations and technical assistance needs emanating from chapter V (Asset recovery) of the Convention. In that connection, several panel meetings had been held during the joint meetings with the Open-ended Intergovernmental Working Group on Asset Recovery. Other key issues for the consideration of the Group at its ninth session included the set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III (Criminalization and law enforcement) and IV (International cooperation) of the Convention, the good practices, experiences and relevant measures taken after the completion of country reviews, and synergies with the secretariats of other relevant multilateral mechanisms, in particular with regard to implementation of Conference resolution 7/4. The Secretary also noted that the matter of taking measures as may be necessary to permit other States parties to initiate civil action in court to establish title to or ownership acquired through the commission of an offence established in accordance with the Convention had been identified as a topic for more in-depth discussions at the session. The Secretary drew the attention of the Group to the preliminary outcome of the drawing of lots held on 1 June 2018.

5. In his statement on behalf of the Group of African States, the representative of Egypt noted that corruption, illicit financial flows and cross-border financial crime were impediments to development, economic growth and the achievement of socioeconomic well-being, particularly in developing countries. The representative emphasized that the fight against corruption was a common and shared responsibility. He reiterated that States had a need for relevant and adequate technical assistance, upon request, based on their specific needs. Furthermore, the Group welcomed the decision of the African Union to declare 11 July African anti-corruption day to mark the adoption of the African Union Convention on Preventing and Combating Corruption. Moreover, the Assembly of the African Union had declared 2018 African Anti-Corruption Year. The representative noted that this was a good starting point for

taking stock of the progress made to date, for assessing what remained to be done and for devising strategies to address new corruption challenges. The representative recalled that Sustainable Development Goal 16 focused on substantially reducing corruption and bribery in all its forms and manifestations. The representative also recalled Conference resolution 3/1 and welcomed the ongoing second review cycle, which covered chapters II (Preventive measures) and V (Asset recovery) of the Convention. The representative noted with concern the lack of financial resources to assist States parties, in particular developing countries, to undertake country reviews in the second cycle and called upon donors to make available unearmarked extrabudgetary resources for providing the technical assistance and capacity-building required by States parties upon request. The representative underscored the need to preserve the intergovernmental nature of all the subsidiary bodies established by the Conference and, in that regard, welcomed the compromise reached in Conference resolution 4/6.

6. The representative of the European Union made a statement on behalf of the European Union and its member States, in which he noted that corruption posed a threat to democracy, good governance and fair competition, and that it undermined the rule of law and fundamental values. He referred to Sustainable Development Goal 16 and welcomed the outcome of the new Global Forum on Asset Recovery, held in December 2017. He also welcomed the Initiative to Raise Global Awareness of Foreign Bribery of the Organization for Economic Cooperation and Development (OECD). The representative reaffirmed the commitment of the European Union to the Implementation Review Mechanism and noted that the European Union sought ways to be reviewed. The representative commended the work undertaken during the second review cycle and its focus on preventive measures and asset recovery. Furthermore, the speaker underlined the need to maintain the transparency, inclusiveness and cost-efficiency of the Mechanism while avoiding unnecessary administrative burdens and the duplication of work. He emphasized the need to further strengthen cooperation and coordination among the secretariats of anti-corruption mechanisms in order to enhance their performance and meaningfully contribute to the global fight against corruption and the achievement of the Sustainable Development Goals. The speaker welcomed efforts undertaken by the United Nations Office on Drugs and Crime (UNODC) to develop new measures and technologies to assess risks and levels of corruption. He referred to the measures taken by the European Union in countering money-laundering in, among other areas, beneficial ownership and due diligence, improving cooperation between law enforcement authorities and financial intelligence units and among financial intelligence units themselves, and in strengthening whistle-blower protection. The speaker noted that States parties should make optimal use of all available information and expertise from, in particular, civil society, and called for the effective involvement of civil society in the second review cycle.

B. Adoption of the agenda and organization of work

7. On 4 June, the Implementation Review Group adopted the following agenda:

1. Organizational matters:
   (a) Opening of the session;
   (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
3. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
4. Technical assistance.
5. Financial and budgetary matters.

6. Other matters.

7. Provisional agenda for the tenth session of the Implementation Review Group.

8. Adoption of the report of the Implementation Review Group on its ninth session.

C. Attendance

8. The following States parties to the Convention were represented at the meeting of the Implementation Review Group: Albania, Algeria, Angola, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, Eswatini, Ethiopia, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Italy, Japan, Kazakhstan, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritius, Mexico, Montenegro, Morocco, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nigeria, Niue, Norway, Oman, Pakistan, Palau, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, State of Palestine, Sudan, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe.

9. In accordance with rule 2 of resolution 4/5, the Conference decided that intergovernmental organizations, Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations Crime Prevention and Criminal Justice Programme network, specialized agencies and other organizations of the United Nations system may be invited to participate in the sessions of the Implementation Review Group.

10. The following intergovernmental organizations were represented by observers: Cooperation Council for the Arab States of the Gulf, Group of States against Corruption (GRECO) of the Council of Europe, International Anti-Corruption Academy, International Criminal Police Organization (INTERPOL), OECD, Organization for Security and Cooperation in Europe and Regional Anti-Corruption Academy.

11. The following Secretariat units, United Nations bodies, funds and programmes, institutes of the United Nations Crime Prevention and Criminal Justice Programme network, specialized agencies and other organizations of the United Nations system were represented by observers: World Bank and World Food Programme.

12. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.

III. Review of implementation of the United Nations Convention against Corruption

A. Drawing of lots

13. In its resolution 6/1 the Conference requested the Group to, inter alia, hold intersessional meetings open to all States parties, for the purpose of the drawing of

lots in accordance with paragraph 19 of the terms of reference of the Mechanism and without prejudice to the right of a State party to request that the drawing of lots be repeated at the Group's subsequent intersessional meeting or regular session.

14. In accordance with Conference resolution 6/1, an intersessional meeting of the Group open to all States parties was held on Friday, 1 June 2018.

15. With regard to the first cycle of the Mechanism, lots were drawn to select the reviewing States parties for Samoa, which had acceded to the Convention since the resumed eighth session of the Implementation Review Group. Myanmar and Belize were drawn as reviewing States parties for Samoa.

16. With regard to the second cycle of the Mechanism, lots were drawn for the selection of the reviewing States parties for the third year of the second cycle. The selection of the reviewing States parties was carried out pursuant to paragraphs 19 and 20 of the terms of reference of the Mechanism. For each State party selected to be reviewed, one of the two reviewing States was selected from the same regional group and the second reviewing State was selected from a pool of all States parties (see annex II).[1]

17. Some States requested redraws for the first and second review cycles in line with the terms of reference of the Mechanism. Those redraws were carried out during the ninth session of the Group.

B. Outcome of the first cycle reviews

18. A representative of the secretariat provided an oral update on the ongoing work to develop a set of non-binding recommendations and conclusions based on lessons learned regarding the implementation of chapters III and IV of the Convention during the first review cycle (see CAC/COSP/2017/5). The relevant paper had been prepared for the previous session of the Group and submitted to the Conference on the basis of Conference resolution 6/1, in which the Group was requested to analyse the outcomes of the first cycle country reviews in terms of identified successes, good practices, challenges, observations and technical assistance needs, considering the thematic implementation reports. The paper was based on an analysis of over 5,000 individual recommendations and nearly 1,000 good practices identified in 149 completed country reviews of the first cycle. It reflected written submissions received from 16 States parties that had availed themselves of the opportunity to provide written comments on the draft discussion paper prepared for the eighth session of the Group.

19. Overall, the secretariat received positive feedback on the document, bearing in mind that the recommendations and conclusions are non-binding in nature. The document will be circulated again for written comments after the current session of the Group. It will be discussed at the open-ended intergovernmental expert meeting to enhance international cooperation under the Convention and made available to the Group at its relevant sessions. Speakers welcomed the secretariat's focused analytical work to develop non-binding conclusions and recommendations regarding the outcomes of the first review cycle. They noted that they would lend themselves to further discussion during the second resumed session of the Group so that the Group would benefit from the contributions of experts from the expert meeting on international cooperation.

20. Many speakers reiterated their countries' commitment to the Mechanism as a tool for identifying gaps in the implementation of the Convention, good practices and technical assistance needs, and noted the concrete impact of the Mechanism in those regards. Speakers highlighted specific steps taken by their countries in response to the recommendations made in the first cycle and underscored their commitment to

[1] The updated country pairings for the first and second cycles will be made available in a conference room paper entitled "United Nations Convention against Corruption: Country pairings for the first and second cycles of the Implementation Review Mechanism" (CAC/COSP/IRG/2018/CRP.9).

addressing them. In particular, many speakers informed the Group about amendments to national policies and legislation, and about institutional reforms undertaken to implement the review recommendations. Speakers described, for example, the development of national strategies to prevent and counter corruption, as well as efforts to establish specialized anti-corruption courts and institutional structures to investigate and prosecute corruption offences and to coordinate anti-corruption policies. Speakers also referred to developments in the criminalization of corruption and money-laundering offences, such as foreign and private sector bribery offences, trading in influence, obstruction of justice and illicit enrichment. They also spoke about developments regarding penalties for corruption, the protection of reporting persons, conflicts of interest, the liability and transparency of legal persons, and proceeds of crime, in particular measures to seize, freeze and confiscate proceeds that had led to effective judicial orders. In respect of international cooperation, speakers highlighted the development of legislation on extradition and mutual legal assistance based on the recommendations issued in the first review cycle, referred to efforts to strengthen international cooperation, in particular through other international bodies and mechanisms, and reaffirmed the need to renew efforts to strengthen international cooperation. In that context, one speaker emphasized the challenges experienced in the area of mutual legal assistance and encouraged expediting the development, pursuant to resolution 7/1, of non-binding guidelines for proactive and timely sharing of information in accordance with article 56 of the Convention. One speaker referred to the positive impact an information technology system would have on the follow-up given to the recommendations emanating from different peer review mechanisms. He encouraged the Group to consider following a similar approach when reviewing measures taken in response to review recommendations. Speakers also welcomed the support provided by UNODC and other cooperation partners in the follow-up to reviews, in particular through its field-based staff, and encouraged UNODC to further enhance that support. Several speakers called on States parties to provide UNODC with the resources necessary to extend its support to States parties under review in the second cycle, thus enabling them to fully benefit from the review process.

C. Outcome of the second cycle reviews

21. To facilitate the Group's discussion of the outcome of the second cycle reviews of chapters II (Preventive measures) and V (Asset recovery) of the Convention, the secretariat presented an oral update on initial trends observed based on the thematic reports prepared by the Secretariat (CAC/COSP/IRG/2018/6 and CAC/COSP/IRG/2018/5). The secretariat informed the Group that nine executive summaries had been finalized, six of them prior to the conclusion of the thematic reports, and that trends in challenges and good practices in the implementation of chapters II and V were beginning to emerge from them.

22. With respect to the implementation of chapter II (Preventive measures), all States whose executive summaries had been completed at the time of drafting the thematic reports had received recommendations with respect to article 5 on preventive anti-corruption policies and practices, article 7 on the public sector and article 12 on preventive measures in the private sector. The highest number of good practices in preventing corruption had been recognized with regard to article 13 because of the importance given to civil society in governmental decision-making processes. States used various means to promote public participation, such as referendums and direct consultations. With regard to the implementation of chapter V (Asset recovery), the challenges identified as most prevalent were related to the prevention and detection of proceeds of crime under article 52 of the Convention and to mechanisms for recovering property through confiscation-related cooperation under article 54 of the Convention. No good practices had been identified with regard to article 56 of the Convention on special cooperation and article 58 on financial intelligence units.

23. To facilitate deliberations on the implementation of chapter V (Asset recovery), a panel was convened that focused, in particular, on measures taken as may be

necessary to permit other States parties to initiate civil action in court to establish title to or ownership of property acquired through the commission of an offence established in accordance with the Convention.

24. The panellist from Mauritius gave an outline of the legal framework applicable to mutual legal assistance and asset recovery in his country. He indicated that, on the basis of the Asset Recovery Act 2011, Mauritius recognized offences committed under the law of foreign States and that, on the basis of a request containing all documentation required, Mauritius could refer a case to its Asset Recovery Investigation Division. The Division would then attempt to locate the assets and file an ex parte application for a restriction order. Once a restriction order had been granted and served, an application for a recovery order could be made to the Supreme Court. In cases initiated on the basis of a request by a foreign State or in which the enforcement of a foreign order was requested, such an application would be based on a motion or an affidavit by the Asset Recovery Unit.

25. The panellist gave examples of cases in which Mauritius had provided assistance in the recovery of assets. He noted some challenges that Mauritius experienced as the requested State party. It was important that all documentation required to execute a request was provided on time, as failure to do so could lead to restriction orders being lifted before a recovery order could be issued. Furthermore, the panellist indicated that if the parties concerned were located abroad, assistance by foreign authorities could be necessary to overcome any obstacles to fulfilling the requirements for serving orders. In addition, the requirement that the Supreme Court hear all parties prior to granting a recovery order could be a challenge in such cases. The panellist highlighted the importance of using informal means of cooperation and practitioners' networks to facilitate international cooperation. Furthermore, he informed the Group that a dedicated team had been established at the Attorney-General's Office to handle incoming requests for mutual legal assistance and asset recovery, which he hoped would help to ensure timely responses to requests for mutual legal assistance.

26. The panellist from Chile informed the Group that her country did not have specific legislation governing mutual legal assistance and asset recovery, but that it had several domestic legal tools that it relied on when responding to requests. By way of example, she referred to provisions in the country's Criminal Procedure Code that authorized the seizure and freezing of objects and documents related to investigations. Specialized legislation on money-laundering and drug trafficking provided for the seizure and freezing of assets without requiring that the alleged offender be notified in advance.

27. Regarding international cooperation, the panellist indicated that Chile used international agreements and general principles of international law such as reciprocity as a basis for cooperation. She recalled the importance of using informal cooperation mechanisms, in particular practitioners' networks, to trace, locate and identify assets before submitting an official request for mutual legal assistance. To conclude, the panellist spoke about a successful recovery case in which assets had been seized and frozen on the basis of a request for assistance. The restitution of these assets was ongoing.

28. In the ensuing discussion, speakers expressed appreciation for the analysis contained in the thematic reports for the second cycle and encouraged the secretariat to continue to update them. Speakers recognized that the reports helped States to prepare or benchmark reviews and develop their programmes. They stressed the importance of drawing lessons from the challenges identified and improving national anti-corruption systems. One speaker recommended that the outcome of the thematic reports be used to develop training materials and monitoring mechanisms in the areas of prevention and asset recovery. Other speakers recommended that the challenges highlighted in the thematic reports, such as politically exposed persons, the recruitment of public officials and the absence of emergency freezing powers, could be topics for future panel discussions in the working groups on prevention and asset recovery. Speakers also welcomed further discussions on good practices in raising

awareness and sharing knowledge with other States. In that regard, speakers emphasized the benefits of specialized units, particularly as a means of concentrating expertise in one place. Speakers commended the use by States parties of the Convention as a legal basis and highlighted the value of practitioner networks that could help in identifying and securing assets. One speaker pointed to the usefulness of non-mandatory measures to recover assets, such as non-conviction-based forfeiture, and of guides on asset recovery.

29. Some speakers emphasized that recommendations needed to be based on the requirements of the Convention rather than on what States may consider good practices. Some speakers expressed concern at the current scheduling of meetings, given the limited availability of data from the completed reviews and the limited availability of practitioners, and noted that there may be value in reducing the number of sessions the Group holds per year. One speaker encouraged States to publish their full reports as a way to better inform other countries about their legal frameworks and thereby enhance both informal and formal cooperation.

30. The Secretary acknowledged with gratitude the appreciation States had expressed and assured the Group that the secretariat would continue to update the thematic reports as more reviews were completed. He further noted that, as the Group had requested, the reports would be shared as widely as possible to assist States parties in undertaking reforms and learning from the good practices of other States parties. With respect to the discussion about the Group's meeting schedule, the Secretary recalled that it was based on the multi-year work programme. He further noted that the consideration of the meeting schedules had been a long process and that the matter should be discussed by the Conference of the States Parties. He reminded those present that the Group's mandate was not only to advance the implementation of the Convention in its practical aspects, but also to advise the Conference on policy matters related to the Implementation Review Mechanism. The Secretary explained the limits within which the Mechanism operated and emphasized that the outcomes of reviews, in particular the recommendations, were the result of a thorough process to ensure that a constructive dialogue was maintained and that the terms of reference of the Mechanism were closely adhered to. Other considerations to be taken into account when drawing up the country review reports and executive summaries were the need for consistency, credibility, quality and legitimacy. He encouraged States to continue to read the available reports, in particular the report titled *State of Implementation of the United Nations Convention against Corruption: Criminalization, Law Enforcement and International Cooperation*, which contained in-depth information on the measures taken by States to implement chapters III and IV of the Convention. The Secretary reminded the Group that it was expected to advise the Conference on the assessment of the performance of the Mechanism in view of the discussion to be held at the end of its first phase.

IV. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption

A. Progress report

31. The Secretary of the Conference gave an update on the progress made in the country reviews of the first and second review cycles. With regard to the first cycle, at the time of reporting, 177 States parties under review had submitted their responses to the self-assessment checklist, 169 direct dialogues (157 country visits and 12 joint meetings) had been held, and 163 executive summaries had been finalized. A further 4 executive summaries were nearing completion.

32. Regarding the second review cycle, the Secretary informed the Group that all the 77 States parties under review in the first and second years of the second cycle had nominated their focal points. Furthermore, 52 States had submitted responses to

the self-assessment checklist and 28 direct dialogues (27 country visits and one joint meeting) had taken place. Several other country visits were at various stages of planning. At the time of reporting, 9 executive summaries had been finalized and 6 additional executive summaries were being completed. Owing to training events held at early stages of the review cycle, the majority of States parties under review in the second and third years of the second cycle had nominated their focal points well before the start of their reviews, and States parties were able to prepare their self-assessment checklists early.

33. The Secretary then outlined the analytical work conducted to better assess the performance of the Mechanism (see CAC/COSP/IRG/2018/2). While the first year of the second review cycle had progressed relatively well, with four States still to submit their self-assessment checklists, the secretariat expressed great concern at the considerable delays encountered in the second year.

34. The secretariat pointed out that, as the self-assessment checklist was the real starting point in any implementation review, late submissions lay at the root of the overall delays in the reviews of the second year. At the time of the meeting, the secretariat had received only 27 of 48 checklists. Owing to the spillover from the first and second years, the third year of the second cycle would start with an additional 25 reviews. While States had not been unresponsive, such delays could have a negative effect on the functioning of the Mechanism. The Chair urged States parties to redouble their efforts to prevent any further delays that could put the good performance of the Mechanism at risk.

35. Several speakers noted that, as the first cycle had shown, securing wide stakeholder involvement was a complex matter and it was important to start preparing the self-assessment checklist early. A number of speakers described how they had completed the checklist well in advance of the scheduled start of their country reviews. One speaker called on States parties to make an effort to submit concise and focused self-assessment reports. Several speakers noted that the inter-institutional coordination groups created for the first cycle had been revived or had continued to serve during the second cycle. One speaker referred to efforts to issue guidelines for national stakeholders to outline their roles in the country review. A number of speakers underscored that, in federal states, delays in completing the checklists had been caused by the requirement to consult actors below the federal level, especially for the review of chapter II (Preventive measures).

36. Several speakers expressed their countries' appreciation to the secretariat for providing support to States in their preparations for the second and third years of their second cycle reviews by organizing training workshops for focal points and governmental experts. Many speakers underlined the importance of the workshops in preparing focal points and experts in reviewed States for their task of completing the checklists and in preparing the experts of reviewing States as well. One speaker noted that the training had promoted a culture of integrity. Another speaker highlighted the importance of expert participation for an effective peer review process and encouraged greater transparency in the review process through the participation of non-governmental stakeholders and the publication of the final reports.

37. Many speakers highlighted the importance of the Convention as the only comprehensive platform for the fight against corruption. At its fifteenth anniversary, the Convention was still the only holistic international anti-corruption instrument. One speaker noted that the establishment of the African peer review would be aligned with the Convention's Implementation Review Mechanism. Another speaker noted that a review group had been set up in 2015 by States in the Arab region to monitor anti-corruption developments in there. Several speakers underlined that a clear political will was needed to fully implement the Convention.

38. Speakers underscored their continued commitment to the Convention and reaffirmed their support for the Mechanism. The Mechanism had made it possible to identify good practices and had helped to reveal weaknesses and gaps in their national administrative and legal systems. Many speakers spoke about wide-ranging reforms

in their domestic anti-corruption frameworks, including plans, strategies and other mechanisms that had been launched to prevent, investigate, and deter corruption as a consequence both of their first cycle reviews and of their preparation for the second cycle. Many speakers underscored that implementation of the Convention was a means to ensure progress towards the Sustainable Development Goals in general and Goal 16 in particular.

39. On the topic of asset recovery and prevention, several States stressed that the Convention requirements had triggered amendments to existing laws or the enactment of new ones. In speaking of measures that spanned both cycles, many delegates noted the strengthening of confiscation regimes and the enhancement of international cooperation, including mutual legal assistance, in particular in relation to asset recovery. Many delegates also spoke of establishing systems to facilitate the reporting by public officials of acts of corruption and to protect those who do so.

40. The establishment and publication of beneficial ownership registers were measures commonly noted, as was the setting up of specialized asset recovery units. A number of speakers mentioned establishing the requirement for public officials to declare or disclose their assets. Several speakers noted the use of information technology for declaring assets and disclosing conflicts of interest. Many States underlined that the Convention played a central role in the exchange of information and best practices, thus making possible more concerted work to combat corruption.

41. On the matter of access to information and transparency in public administration, several States reported that they had joined the Open Government Partnership and other transparency initiatives. States also spoke of the inclusion of external stakeholders such as civil society, academia, the media and the private sector in work related to awareness-raising and of their involvement in the implementation reviews. Cooperation extended to areas such as the formulation of national anti-corruption strategies and the development of anti-corruption curricula for use in primary, secondary and tertiary education. Several speakers noted efforts to cooperate with the International Anti-Corruption Academy.

B. Implementation of resolution 7/4 of the Conference of the States Parties to the United Nations Convention against Corruption: Enhancing synergies between relevant multilateral organizations responsible for review mechanisms in the field of anti-corruption

42. A representative of the secretariat briefed the Group on the activities carried out in furtherance of Conference resolution 7/4 and referred to the full report on that topic (CAC/COSP/IRG/2018/CRP.1). He noted that, pursuant to paragraph 1 of the resolution, the Secretariat had been requested to continue its dialogue with States parties and with the secretariats of other relevant multilateral mechanisms in the field of anti-corruption. He further informed the Group that this dialogue was ongoing and that it had taken many forms, including the joint organization of side events at the seventh session of the Conference of the States Parties, held in Vienna in 2017, and regular attendance of each other's meetings. In particular, UNODC and partner secretariats had organized a special event entitled "Enhancing the cooperation between the secretariats of international anti-corruption peer review mechanisms" on the margins of the Conference. To further improve the dialogue with partner secretariats, UNODC had also continued its practice of attending more regularly the meetings of the OECD Working Group on Bribery in International Business Transactions and GRECO. Furthermore, the speaker noted that the GRECO secretariat had prepared a proposal on enhancing synergies among the international anti-corruption monitoring bodies that was to be considered by the GRECO plenary and was shared with the Group in document CAC/COSP/IRG/2018/CRP.8.

43. Several speakers expressed appreciation and support for the efforts made by the secretariat to enhance synergies with other review mechanisms in the field of anti-corruption. One speaker highlighted that her country had established a focal point

for all peer review mechanisms at the Ministry of Foreign Affairs and developed a methodology to refer to answers already prepared for other mechanisms in order to save time. Referring to the GRECO proposal, she also suggested that UNODC, GRECO and OECD develop a joint proposal for enhancing synergies. Another speaker pointed out that his country had established a workplan to better follow up on the implementation of recommendations issued by the various review mechanisms that his country was involved in. He also referred to the recent Lima Commitment on Democratic Governance against Corruption adopted by the eighth Summit of the Americas, in which the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption of the Organization of American States had been called upon to coordinate with other international and regional anti-corruption bodies so as to foster synergies and to avoid duplication of efforts in the fight against corruption.

44. Some speakers expressed concern that there may be limits to enhancing synergies between various review mechanisms, in part because they had different mandates, terms of reference and confidentiality requirements. They cautioned that closer cooperation should not lead to the creation of a new layer of bureaucracy or overburden the reviewed States. A number of speakers noted that some of the proposed measures may have cost implications. One speaker referred to the good practice of scheduling meetings by relevant forums consecutively in order to facilitate the travel of participants and enhance the representation of delegations at meetings.

45. One speaker referred to the regional addenda to the thematic reports that had been prepared by the secretariat during the first cycle of reviews and suggested that it would be useful to cooperate with regional organizations in the drafting of regional implementation reports. He also invited regional organizations to become more active in the discussions relating to the Convention. Some speakers welcomed the possible establishment of joint information-sharing platforms and tools and the conclusion of agreements.

46. The representative of the Council of Europe noted that the GRECO proposal was still a work in progress and stressed that greater cooperation should not become a strain on the budget. One speaker noted that GRECO members had not approved the document and that it would be further discussed at the GRECO meeting in June 2018. A representative of OECD highlighted that the discussion on the same topic was on the agenda of the OECD Working Group on Bribery, which would take place the following week.

V. Technical assistance

47. At its meetings held jointly with the Open-ended Intergovernmental Working Group on Asset Recovery on 6 June 2018, the Implementation Review Group considered item 4 of its agenda entitled "Technical assistance" and item 5 of the agenda of the Working Group entitled "Forum for discussions on capacity-building and technical assistance". The joint meetings were held in line with resolution 6/1 of the Conference, in which the Secretariat was requested to structure the provisional agendas of the Implementation Review Group and the other subsidiary bodies established by the Conference in such a way as to avoid duplicating discussions, while respecting their mandates, and pursuant to the workplan agreed for 2017–2019.[2]

48. A representative of the secretariat presented a conference room paper entitled "Technical assistance in support of the implementation of the United Nations Convention against Corruption, including analysis of technical assistance needs emerging from the country reviews under the second implementation review cycle"

[2] Information on the panels and the ensuing discussions on initiatives to promote progress in asset recovery cases and partnerships on asset recovery, which were held during the joint meetings is contained in the report of the twelfth meeting of the Open-ended Intergovernmental Working Group on Asset Recovery.

(CAC/COSP/IRG/2018/CRP.2). The representative noted that for nine States, the executive summaries of their country reviews had been finalized in the second cycle, before the meeting and that six of those summaries contained mentioned assistance needs. Of the needs identified, two thirds related to chapter II (Preventive measures) and one third to chapter V (Asset recovery). Overall, the most commonly identified need was capacity-building, specifically in regard to the enhancement of technical skills and the capacity to monitor and assess data. A number of States had also identified a need for legislative assistance. The representative of the secretariat further explained that, while discussions during country visits frequently focused on rules regarding virtual currencies and cryptocurrencies, only one State had identified the need for assistance relating to the confiscation of virtual currencies. Some States that had identified technical assistance needs in the first cycle had not done so in the second cycle. While this could be an encouraging indication that follow-up to recommendations made in the first cycle was showing tangible results, further information was required to confirm that that was indeed the case.

49. On the topic of technical assistance in support of the Convention, the representative outlined a number of actions taken, such as the regional platform approach to fast-track the implementation of the Convention in Eastern Africa and South-East Asia funded by the Prosperity Fund of the United Kingdom. UNODC had continued its support for the strengthening of regional networks engaged in asset recovery and confiscation. The representative of the secretariat then presented a study on effective management and disposal of seized and confiscated assets (see CAC/COSP/WG.2/2018/CRP.1) together with the draft non-binding guidelines on the management of frozen, seized and confiscated assets (CAC/COSP/WG.2/2018/3). It was noted that the secretariat, in continuing its work on the two documents, encouraged States to continue sharing comments and good practices with the secretariat. The non-binding character of the guidelines was underscored and the secretariat explained that the role of the guidelines was to serve as a source of inspiration and guidance for States wishing to enhance or review their asset management structures.

50. The introductory remarks by the representative of the secretariat were followed by an overview delivered by the coordinator of the joint Stolen Asset Recovery (StAR) Initiative of UNODC and the World Bank that focused on technical assistance and capacity-building delivered by the Initiative since the Working Group last met. The StAR coordinator explained that country engagements were designed as multi-year programmes and covered a wide range of activities including tactical analysis and the establishment of asset recovery strategies, financial investigation techniques, asset disclosure, forensic audits in preparation for cases, case management advice, the facilitation of contacts, case consultations with other jurisdictions and assistance with mutual legal assistance requests. The speaker also noted assistance provided to financial intelligence units, law enforcement, public prosecutors, central authorities, judges and magistrates that included capacity-building activities and targeted, case-related support. The methodology for StAR assistance included training workshops, the placement of mentors and the facilitation of cooperation, both domestically and internationally.

51. The StAR coordinator outlined how, over the past year, 20 countries had received assistance through the StAR Initiative. In December 2017, the StAR Initiative facilitated the organization of the Global Forum on Asset Recovery, co-hosted by the United States and the United Kingdom. More than 100 bilateral meetings had been held at the Forum to discuss ongoing cases focusing on Nigeria, Sri Lanka, Tunisia and Ukraine. The Forum had included 250 participants representing 26 jurisdictions. The StAR Initiative had also continued its development of knowledge products and supported the publication of beneficial ownership guides. By way of example, the coordinator mentioned the finalization of the non-binding Lausanne guidelines for the efficient recovery of stolen assets.

52. A panel was held on using the outcome of country reviews as a basis for programme development. In introducing the panel, the representative of the

secretariat highlighted how technical assistance had increasingly moved away from a traditional donor-recipient model to one of partnership and sharing of experiences and good practices among anti-corruption practitioners.

53. A panellist from the United Republic of Tanzania gave a presentation on asset recovery initiatives in his country that included activities supported by the StAR Initiative. The panellist highlighted the importance of strong legal and institutional frameworks and of the commitment of law enforcement agencies to support asset recovery initiatives. He noted that, in line with chapter V (Asset recovery) of the Convention, his country's national anti-corruption agency, the Prevention and Combating of Corruption Bureau, had established an asset tracing and recovery unit to deal with proceeds derived from corruption and illicitly acquired assets at the national and international levels. The panellist also referred to the efforts undertaken by the Office of the Director of Public Prosecutions and, in particular, its asset forfeiture and recovery section. Moreover, the panellist described the technical assistance the StAR Initiative had provided to his country in the development of a five-year strategic plan for the asset tracing and recovery unit; capacity-building for the Office of the Director of Public Prosecutions and other law enforcement agencies; the development of a strategic plan for asset forfeiture and recovery for 2014–2017; the delivery of training courses on asset management; the development of asset management regulations and the harmonization of national legislation; and the provision of support to a prosecutor placement programme through the Asset Recovery Inter-Agency Network for Southern Africa. The panellist also spoke about the positive impact reached and the achievements made with the support of the StAR Initiative and about the challenges encountered.

54. The panellist from the United Kingdom referred to the Convention as a driver for change and as the potential framework and backbone for any technical assistance programming. The panellist briefed the group on the regional platform approach funded by the Prosperity Fund of the United Kingdom, a multi-year project currently implemented to fast-track the implementation of the Convention. Based on technical assistance needs identified in several countries in South-East Asia and Eastern Africa through the Implementation Review Mechanism, two-stage workshops had been held in those regions to foster a comprehensive and coordinated technical assistance approach to countries' common challenges. Technical experts and law enforcement professionals from the region were brought together to discuss technical and policy issues and jointly design solutions. Topics included investigation and prosecution, international cooperation, money-laundering, asset recovery, whistle-blower protection and conflict of interest and asset disclosure systems. The results of the discussions and identified solutions had then been presented to a wide range of stakeholders such as policy makers, civil society, the private sector and donors. In closing, the panellist noted that the regional platforms had already included 152 participants from 11 countries in South-East Asia and 85 participants from 8 countries in Eastern Africa. Based on this positive experience, discussions were under way to widen the engagement to other regions.

55. The panellist from Azerbaijan outlined how the outcome of several anti-corruption review mechanisms, including the Implementation Review Mechanism established under the Convention against Corruption, had been used to catalyse domestic reform efforts. The panellist explained how the review processes had helped to crystallize gaps and challenges in Azerbaijan, which had served as a basis for addressing many of the technical assistance needs within a national context. Those efforts had also been inspired by the experiences and good practices of other States. The result had been the establishment of a single platform with equal representation of all State institutions and with a growing participation of external stakeholders and experts. This participatory platform had made it possible to set priorities and to assign leading roles in various areas. As a result, confiscation had been changed from being a punishment for specific offences to a universal measure applicable to proceeds of crime of all types. The panellist then proceeded to exemplify how the country's "one-stop-shop" model of public service delivery could in turn

serve as a good practice for other States. The Azerbaijan State Agency Network had grown from managing a handful of State agencies and their employees to taking on increasingly larger tasks, such as the electronic arrangement and improvement of services rendered by all State agencies. The Network had also served to re-instil public confidence in the integrity of service delivery, as evidenced by public opinion polls and the decrease in the number of instances of corruption.

56. The deputy coordinator of the StAR Initiative also drew on his experience as former UNODC regional anti-corruption adviser for South-East Asia. He gave an overview of how country reviews could catalyse national legal, institutional and organizational reform efforts. In using the recommendations, the panellist listed a number of countries where technical assistance had been provided through the StAR Initiative. He outlined how action and follow-up plans could be used to facilitate and prioritize the implementation of actionable recommendations. He noted how, frequently, challenges encountered after the country reviews had stemmed from a lack of awareness, a lack of consultation with a wider range of stakeholders, a lack of leadership or a lack of coordination among national actors on follow-up to the recommendations. Furthermore, the panellist noted that failures also occurred when action plans were not seen in the wider context of other national anti-corruption initiatives and were not harmonized with technical assistance requests. The panellist suggested that, in order to cope with such difficulties or prevent them from arising in the first place, countries should raise awareness and foster ownership, leadership and coordination.

VI. Financial and budgetary matters

57. The Secretary provided information on the expenditure incurred for the operation of the first and second cycles of the Implementation Review Mechanism as at 28 February 2018, on the projected expenditure for the completion of the first cycle, and on the projected expenditure for the operation of the first two years of the second cycle. The Secretary also provided details on the resources received from both the regular budget of the United Nations and voluntary contributions.

58. With regard to the regular budget resources for the Implementation Review Mechanism in the biennium 2018–2019, the Secretary explained that the establishment of three additional posts had been approved by the General Assembly in support of the second cycle of the Implementation Review Mechanism, to be financed from the regular budget, and noted that, with that, there would be no additional regular budget requirements under the mixed funding model of the Mechanism in line with the relevant resolutions of the Conference.

59. With respect to the extrabudgetary resource requirements for the first cycle of the Mechanism, the Secretary explained that the estimates for the fourth and fifth years had been partially revised so that the total estimated costs for completing the first cycle had been reduced by $35,300.

60. The Secretary informed the Group that it had revised the estimates for the first two years of the second cycle and calculated the cost projections for the third and fourth years of the second cycle based on the parameters outlined in the note by the Secretariat on projected costs for the functioning of the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption (CAC/COSP/2015/10, annex I). The estimates were revised on the basis that no posts were to be financed from extrabudgetary resources as of 1 January 2018 and that the cost saving measures currently in place would continue to be applied.

61. In comparison to the previous estimates, the projected costs for completing the first two years of the second cycle were reduced by $1,791,900. The Secretary stated that any decision by the Group to lift the cost-saving measures related to travel would amount to an estimated additional expenditure of $1,208,200 for a fully completed second cycle.

62. Expressing his appreciation for the voluntary contributions and in-kind contributions made by States to support the Mechanism, the Secretary drew attention to the extrabudgetary funding gap. Taking into account pledges that UNODC had received since 1 March 2018, the first cycle and the first two years of the second cycle were fully financed, whereas for the third and fourth years of the second cycle, a funding gap of $2,914,500 remained. Accordingly, the Secretary cautioned against slowing down fundraising efforts.

63. Several speakers expressed their satisfaction with the transparency and clarity of the Secretariat's financial reporting, which in their view provided a useful basis for deliberations.

64. Some speakers called for more detailed information about the use of languages in country reviews, disaggregated by region, in order to better understand the cost and workload implications. In that context, one speaker spoke of his country's efforts to limit the number of languages used in country reviews to one instead of three. Other speakers referred to the importance of multilingualism in the context of the Mechanism and cautioned against any measures that would negatively affect the quality of the country reviews.

65. One speaker, while stating her country's full support for the current mixed funding model and expressing their appreciation of the positive impact of the cost-saving measures, called for further efforts to save costs and proposed reducing the number of reviews per year to stretch the extrabudgetary resource requirements over a longer time period. She also proposed considering a reduction in the number of meetings. The speaker also recognized the important role of the extrabudgetary resources in covering shortfalls incurred in the second cycle and the need to ensure that mandates are sustainable in the context of the financial situation of UNODC. In view of the budgetary constraints States and the Secretariat were facing, one speaker suggested that experts and Secretariat staff travelling on business related to the Implementation Review Mechanism do so in economy class. In response to this suggestion, the Secretary explained that all travel and accommodation arrangements were financed strictly in line with the United Nations rules and regulations as approved by the General Assembly.

66. Several speakers referred to their strong support for the Implementation Review Mechanism, including through the provision of extrabudgetary contributions, and called upon all countries to support the Mechanism financially within the resources available to them.

67. Some speakers expressed the view that the Mechanism should be fully funded from the regular budget of the United Nations to ensure its sustainability and impartiality. One speaker expressed the view that the use of voluntary contributions should strictly comply with the terms of reference of the Mechanism.

68. The Secretary reiterated the Secretariat's undiminished commitment to the highest quality of the reviews and to multilingualism in the context of the Mechanism, while emphasizing that limiting the use of languages during a country review was encouraged on a voluntary basis. The Secretary also pledged to provide more detailed information about the use of languages during country reviews with data disaggregated by region.

VII. Other matters

69. No issues were raised under this item.

VIII. Provisional agenda for the tenth session

70. At its 4th meeting, on 5 June 2018, the Implementation Review Group adopted the provisional agenda for the tenth session of the Implementation Review Group (CAC/COSP/IRG/2018/L.2).

IX. Adoption of the report

71. On 6 June 2018, the Implementation Review Group adopted the report on its ninth session (CAC/COSP/IRG/2018/L.1, CAC/COSP/IRG/2018/L.1/Add.1, CAC/COSP/IRG/2018/L.1/Add.2, CAC/COSP/IRG/2018/L.1/Add.3, CAC/COSP/IRG/2018/L.1/Add.4, CAC/COSP/IRG/2018/L.1/Add.6 and CAC/COSP/IRG/2018/L.1/Add.7).[3]

[3] The part of the draft report covering item 5 was circulated for adoption in an informal paper.

Annex I

Provisional agenda for the tenth session of the Implementation Review Group

1. Organizational matters:
   (a) Opening of the session;
   (b) Adoption of the agenda and organization of work.
2. Review of implementation of the United Nations Convention against Corruption.
3. Performance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.
4. Technical assistance.
5. Financial and budgetary matters.
6. Other matters.
7. Provisional agenda for the eleventh session of the Implementation Review Group.
8. Adoption of the report of the Implementation Review Group on its tenth session.

Annex II

Mechanism for the Review of Implementation of the United Nations Convention against Corruption: country pairings for the third year of the second review cycle

In the third year, a total of 36 reviews will be conducted.

Regional group	*State party under review*	*Reviewing State party from same regional group*	*Other reviewing State party*
Group of African States (total: 14)	Uganda	Central African Republic	Bosnia and Herzegovina
	Algeria	Kenya	Ghana
	Mali	Seychelles	Congo [France][*]
	Togo	Algeria	Malawi
	Ghana	South Sudan [Mauritius]	Madagascar
	Malawi	Rwanda	Russian Federation
	Democratic Republic of the Congo	Libya	Zambia
	Libya	Morocco	Comoros [Venezuela (Bolivarian Republic of)]
	Benin	Gambia	Switzerland
	Liberia	Comoros [Botswana]	Seychelles [Micronesia (Federated States of)]
	Côte d'Ivoire[a]	Djibouti	Hungary
	Comoros[a]	Malawi	Kuwait
	South Sudan[b]	United Republic of Tanzania	Indonesia
	Guinea[a]	Benin	Grenada
Group of Asia-Pacific States (total: 8)	Palau	Tuvalu	Cyprus
	Cambodia	Thailand	Eswatini
	Fiji	Samoa	United Kingdom of Great Britain and Northern Ireland
	Tuvalu	Afghanistan	Fiji
	Philippines	Niue	South Africa
	Kyrgyzstan	Japan	Sao Tome and Principe
	Maldives	Turkmenistan	India
	Timor-Leste[b]	Marshall Islands	Bulgaria
Eastern European States (total: 4)	Croatia	Ukraine	Czechia
	Armenia	Serbia	Dominican Republic
	Poland	Belarus	Togo
	Latvia	Estonia	Bhutan

Regional group	*State party under review*	*Reviewing State party from same regional group*	*Other reviewing State party*
Group of Latin American and Caribbean States (total: 6)	Argentina	Ecuador	Sudan
	Cuba	Uruguay	Mozambique
	Bahamas	Costa Rica	Slovenia
	Dominican Republic	Haiti	Romania
	Nicaragua	Paraguay	Kazakhstan
	Guyana[b]	Saint Lucia	Republic of Moldova
Group of Western European and other States (total: 4)	Finland	Portugal	El Salvador
	Iceland	United Kingdom	Armenia
	United States of America	Netherlands	Samoa [Bangladesh]
	Turkey	Denmark	Poland

[a] Volunteered to advance its review from one of the following years of the second cycle.

[b] Deferred from previous year of the cycle.

[*] States in square brackets have been provisionally drawn as reviewers during the intersessional meeting of the Implementation Review Group on 1 June 2018.